(d) an economist/Senior administrator appointed by the State Government,

(e) District Collector,

(f) the District Development Officer-cum-Panchayat Officer who shall be the Member Secretary.

(3) The Adhakshya of the Zilla Panchayat shall be the Chairman of the District Planning Committee.

(4) The District Planning Committee shall consolidate the plans prepared by the Gram Panchayats, the Zilla Panchayat and the Nagar Panchayats in the district and prepare a draft development plan for the district as a whole.

(5) Every District Planning Committee shall, in preparing the draft development plan :-

(a) have regard to-

(i) the matters of common interest between the Zilla Panchayats, Gram Panchayat and Nagar Panchayats in the district including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructures and environmental conservations;

(ii) the extent and type of available resources whether financial or otherwise;

(b) consult such institutions and organisations as the State Government may, by order specify.

(6) The Chairman of the District Planning Committee shall forward the development plan, as recommended by the Committee to the State Government.

Penalty.

128. (1) Any person who soon after the expiry of his term or resigning from the office or removal from the office of Sabhapati or Up-Sabhapati or Sachiva of Gram Panchayat or Adhakshya or Up-Adhakshya of Zilla Panchayat as the case may be, fails to hand over any document or, any money or other properties vested in or belonging to, the Gram Panchayat or Zilla Panchayat, as the case may be, which are in his possession or control, to his successor- in-office, shall on conviction, be punished with a fine which may extend to five hundred rupees and in the case of a continuing failure or contravention with an additional fine which may extend to fifty rupees for every day after the first conviction during which he has persisted in the failure or contravention.

(2) Any person who wilfully obstructs any member or office bearer or servant of all Gram Panchayat or a Zilla Panchayat, as the case may be, in the discharge of his duties or any thing which he is empowered to do shall, on conviction, be punished with a fine which may extend to five hundred rupees.

(3) Any person required by this Act or rules made thereunder to furnish any information fails to furnish such information or knowingly furnishes wrong information shall, on conviction, be punished with a fine which may extend to five hundred rupees.

(4) Any person who contravenes the provisions of this Act or rules made thereunder for which no penalty is provided for under this Act shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees, or with both.

Election not to be contested with the support of political party.

129. No person shall contest the election to any Panchayat with the support, direct or indirect, of any political party.

Power to make rules.

130. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-

(i) the manner of convening and conducting the meeting of Gram Sabha;

(ii) manner of election of Sabhapati and Up-Sabhapati of Gram Panchayat under

sub-section (1) of section 17;

(iii) manner in which meeting of Gram Panchayat shall be convened under sub section (2) of section 19;

(iv) powers, functions and duties of Sabhapati of Gram Panchayat;

(v) power, functions and duties of Sachiva of Gram Panchayat;

(vi) manner in which and time within which an appeal may be made under section 42;

(vii) manner in which and time within which the Budget shall be prepared by Gram Panchayat under section 46;

(viii) manner in which and time within which the supplementary Budget shall be submitted under section 47;

(ix) manner in which accounts shall be kept by Gram Panchayat;

(x) terms and conditions of appointment of Sachiva of Zilla Panchayat;

(xi) duties and functions of Sachiva of Zilla Panchayat;

(xii) manner in which and time within which appeal may be made under section 79;

(xiii) manner in which and time within which the Budget shall be prepared by Zilla Panchayat under sub-section (1) of section 83;

(xiv) manner in which and time within which, supplementary Budget shall be submitted under section 84;

(xv) manner in which accounts shall be kept by Zilla Panchayat;

(xvi) manner in which, time within which, place whereon and the extent to which accounts of the Gram Panchayat and Zilla Panchayat shall be examined and audited;

(xvii) manner in which and time within which the matter shall be referred to the State Government under sub-section (2) of section 91;

(xviii) manner in which a certificate of the amount due and a copy of reasons thereof shall be sent under sub-section (3) of section 92;

(xix) manner of superintendence, direction and control and the conduct of election of members of Gram Panchayat;

(xx) manner in which, time within which and the authority to whom the application for questioning the election shall be presented under sub-section (1) of section 119;

(xxi) particulars to be furnished under sub-section (3) of section 119;

(xxii) powers and authority that shall be exercised by the authority under sub-section (4) of section 119;

(xxiii) any other matters which are to be and may be, prescribed.

Power to remove difficulties.

131. If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for the purpose of removing such difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

Repeal and Savings.

132. On and from the date of commencement of this Act, the Sikkim Panchayat Act, 1982 shall stand repealed and all assets and liabilities of the Gram Panchayats constituted under the repealed Act, 1982 shall stand repealed and all assets and liabilities of the Gram Panchayats or Zilla Panchayats constituted under the repealed Act shall continue to vest in the respective Gram or Zilla Panchayat, as the case may be:

Provided that such repeal shall not effect-

(a) the continuance of the existing Gram Panchayat or the Zilla Panchayat as the case may be, by virtue of the operation of the proviso to Article 243 N of the Constitution; or

(b) the previous operation of the repealed Act or anything duly done or suffered thereunder;

(c) any right, privilege, obligation or liability acquired, accrued or incurred under the repealed Act; or

(d) any penalty, forfeiture or punishment incurred in respect of any offence

committed against the repealed Act; or

(e) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and

(f) any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed:

Provided further that subject to the preceding provision anything done or any action taken (including any appointment or delegation made, notification, notice, order, instructions or direction issued, rule, regulation,form or scheme framed, certificate obtained, permit or licence granted, tax imposed or fee or rates levied) under the repealed Act shall, in so far as it is in force immediately before commencement of this Act and is not inconsistent with the provisions of this Act be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly, unless and until they are repealed or amended or suspended.

THE SCHEDULE

Form of oath or affirmation to be made by a member of a Gram Panchayat or a Zilla Panchayat.

(See Section -104)

I,A.B., having been elected a member of Gram Panchayat/Zilla Panchayat do swear in the name of God or solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, and that I shall faithfully discharge the duties upon which I am about to enter.

By Order of the Governor,

(B.R. Pradhan)
Secretary to the Government of Sikkim
Law Department.

F. No. 16 (269)LD/93

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Wednesday, 29th November, 1995 No. 194

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

NO. 10/LD/1995. Dated: Gangtok, the 20th November, 1995.

The following Act of the Sikkim Legislative Assembly Secretariat having received the assent of the Governor on 11th day of October, 1995 is hereby published for general information:—

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 1995
(ACT NO. 10 OF 1995)
AN
ACT

to amend the Sikkim Panchayat Act, 1993

Be it enacted by the Legislature of Sikkim in the Forty-Sixth Year of the Republic of India as follows:-

Short title and Commencement

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 1995.

(2) It shall come into force at once.

Amendment of Section 12

2. In section 12 of the Sikkim Panchayat Act, 1993 (hereinafter referred to as the principal Act), in sub section (1) the following proviso shall be inserted, namely:-

"Provided however, that in the case of the two villages of Lachen and Lachung in the North District of the State, the areas comprised in the two villages shall be deemed to be the Grams for the purpose of section 3 of the Act and the traditional institutions of Dzumsas existing in these two villages for many centuries shall be deemed to be Gram Panchayat constituted under this section."

Amendment of section 13

3. In section 13 of the principal Act,

(i) in sub-section (1) the following proviso shall be inserted namely:-

"Provided, however, that no person whose name does not appear in the electoral roll pertaining to the area comprised in the Gram as indicated above shall be eligible to contest the election for such Gram Panchayat."

(ii) in sub-section (5), for the words "as may be prescribed," the words "as the State Government may, by notification, from time to time specify" shall be substitued;

(iii) after sub-section (5), the following sub-section shall be inserted, namely:-

"(5a) The State Government shall, by notification, reserve such number of seats which as nearly as may be one-third of the total number of seats of the Gram Panchayat for the persons belonging to the Backwad Classes";

(iv) in sub-section (7), for the words "as may be prescribed", the words "as the State Government may, by notification, from time to time, specify" shall be substituted.

Amendment of section 17

4. In section 17 of the principal Act,-

(i) in sub-section (2), after clause (a), the following clause shall be inserted, namely:-

"(aa) such number of offices of Sabhapati and Up–Sabhapati of Gram Panchayats which shall as nearly as may be one–third of the total number of offices of Sabhapati and Up–Sabhapati in the State for the persons belonging to the Backward Classes";

(ii) in sub–section (2), in the proviso to clause (b), for words "as may be prescribed", the words "as the State Government may, by notification, from time to time, specify" shall be substituted.

Amendment of section 27

5. In section 27 of the principal Act, for the words "by the majority of the members of the Gram Panchayat present," the words "by the the two–third majority of the members of the Gram Panchayat" shall be substituted.

Amendment of section 34

6. In section 34 of the principal Act, in clause (v), for the words "as may be entrusted to it by the State Government from time to time", the words "not enumerated specifically in the above clauses but enumerated in the Eleventh Schedule to the Constitution" shall be substituted.

Amennment of section 49

7. In section 49 of the principal Act, in sub-section (2), after the existing proviso, the following proviso shall be inserted:-

"Provided further that if a person is elected to one or more seats in a Gram Panchayat and or a seat in a Zilla Panchayat then, unless within the prescribed time he resigns all but one of the seats by writing under his hand addressed to the State Election Commissioner, one but all seats in the Gram Panchayat or a seat or seats in the Gram Panchayat, as the case may be shall become vacant."

Amendment of section 50

8. In section 50 of the principal Act,-

(a) in sub section (1),-

(i) for clause (a), the following clause shall be substitued, namely:-

"(a) directly elected members from amongst those whose names are included in the electoral roll of the Sikkim Legislative Assembly for the time being in force pertaining to the area comprised in the respective territorial constituency of the district;"

(ii) for clause (b), the following clause shall be substituted, namely:-

"(b) Twenty per cent of the Sabhapatis of the Gram Panchayats within the district by rotation annually to be specified by the State Government by notification;"

(iii) in clause (c), after the word "and" and before the word "the" the words "twenty per cent of the members of" and after the word "thereof and before the full stop the words "by rotation annually to be specified by the State Government by notification" shall be inserted;

(b) in sub section (4), for the words, "as may be prescribed" the words " as the State Government may, by notification, from time to time, specify" shall be substituted;

(c) after sub-section (4), the following sub-section shall be inserted, namely :-
"(4a) The State Government shall, by notification, reserve such number of seats which shall as nearly as may be one-third of the total number of seats in a Zilla Panchayat for the persons belonging to the Backward Classes;"

(d) in sub-section (6), for the words "as may be prescribed", the words "as the State Government may, by notification, from time to time, specify" shall be substituted.

Amendment of section 54

9. In section 54 of the principal Act, -

(i) for sub-section(1), the following sub-section shall be substituted, namely:-

"The directly elected members of every Zilla Panchayat shall, at its first meeting at which a quorum is present, elect in such manner as may be prescribed, from among themselves one of the directly elected members to be the Adhakshya and another to be the Up-Adhakshya of the Zilla Panchayat;"

(ii) in sub-section (2) after clause (a), the following clause shall be inserted, namely:-

"aa) such number of offices of Adhakshya and Up-Adhakshya in the State which shall as nearly as may be one-third of the total number of offices of Adhakshya and Up-Adhakshya in the State for the persons belonging to the Backward Classes".

Amendment of section 64

10. In section 64 of the principal Act, in sub-section (1) for the words "by majority of the members of the Zilla Panchayat present and voting, "the words "by two-third majority of the directly elected members of the Zilla Panchayat" shall be substituted.

Amendment of section 69

11. In section 69 of the principal Act, after clause (1), the following clause shall be inserted, namely :-

"(m) such other duties not enumerated specifically in the above clauses but enumerated in the Eleventh Schedule to the Constitution".

Amendment of section 114

12. In section 114 of the principal Act, in clause (b), for the words "the maximum period of one year as may be specified in the orders", the words "six months" shall be substituted.

Amendment of section 119

13. In section 119 of the principal Act,-

(i) sub-section (5) shall be omitted;

(ii) the existing sub-section (6) shall be renumbered as sub-section (5).

Insertion of a new section 119A.

14. After section 119, the following section shall be inserted, namely :-

"Appeal. 119A. Any person aggrieved by an order of the Prescribed Authority under section 119 may appeal to the Appellate Authority to be appointed by the State Government within such time and in such manner as may be prescribed."

15. After section 119 so inserted, the following section shall be inserted, namely:-

Insertion of new section 119B.

"Bar to suits and other proceedings

1193. Save as otherwise provided, no suit or other proceeding shall lie in any court, tribunal or before any other authority to challenge, vary or to set-aside any order passed by the Prescribed Authority under section 119 or the Appellate Authority under section 119A under this Chapter".

Amendment of section 127.

16. For section 127 of the principal Act, the following section shall be substituted, namely:-

"127. The District Planning Committee as provided under article 243 ZD of the Constitution read with Section 184 of the Sikkim Municipalities Act, 1995 shall be the District Planning Committee for the purposes of this Act."

Amendment of section 130

17. In section 130 of the principal Act, -

(i) in sub-section (2), after clause (ix), the following clause shall be inserted, namely :-

"(ixa) manner of election of the Adhakshya and Up-Adhakshya of Zilla Panchayat;"

(ii) after sub-section (2), the follwing sub-section shall be inserted, namely:-

"(3) Every rule made under this section shall immediately after it is made, be laid before the State Legislature if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two or more successive sessions, and if before the expiration of the session in which it is so laid, or the sessions immediately following, the House agrees in making any modification in the rules or in the annulment of the rules, the rules shall thereafter have effect only in such modified form or shall stand annulled, as the case may be, so, however that any such modification or annulment shall be without prejudice to the validity of anything previousiy done under that rule."

By Order of the Governor,

B. R. PRADHAN
Secretary to the Government of Sikkim
Law Department.

F. No. 16 (82)LD/79-95.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Dated Gangtok, Thursday, 15th May, 1997 No. 76

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK.

No. 5/LD/97 Dated: the 13th May, 1997.

NOTIFICATION

The following Act of the Sikkim Legislative Assembly havidg received the assent of the Governor on 9th day of May, 1997 is hereby published for general information :-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 1997

(ACT NO. 5 OF 1997)

AN

ACT

further to amend the Sikkim Panchayat Act, 1993.

Be it enacted by the Legislature of Sikkim in the Forty-Eighth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 1997.

(2) It shall come into force at once.

Substitution of section 115.

2. For section 115 of the Sikkim Panchayat Act, 1993 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:- No. 6 of 1993

"Consequences of supersession or dissolution.

115. (1) When an order of supersession has been passed under section 114 or the proviso to article 243N of the Constitution has been invoked to dissolve all the Panchayats, then with effect from the date of the order–

(a) all the members of the Gram Panchayat or the Zilla Panchayat, as the case may be, shall vacate their offices;

(b) all the powers, duties and functions which, under the provisions of this Act or any rule made thereunder or any law for the time being in force, may be exercised, discharged or performed by the Gram Panchayat or Zilla Panchayat, as the case may be, shall be exercised,

(c) all properties vested in the Gram Panchayat or Zilla Panchayat, as the case may be, shall remain vested in the State Government until the reconstitution of such Gram Panchayat or Zilla Panchayat."

Omission of section 129.

3. Section 129 of the principal Act shall be omitted.

By Order of the Governor,

B. R. PRADHAN,
Secretary to the Government of Sikkim,
Law Department.

(F.No.16(269)LD/93-97)

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok, Monday, 12th November, 2001 No. 409

GOVERNMENT OF SIKKIM,
LAW DEPARTMENT
GANGTOK

No. 7 /LD/2001 Dated: 12.11.2001.

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 5th day of November, 2001 is hereby published for general information :-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2001
ACT NO. 7 OF 2001
AN
ACT

further to amend the Sikkim Panchayat Act, 1993
Be it enacted by the Legislature of Sikkim in the Fifty second year of the Republic of India as follows:-

Short title and commencement .

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2001.

(2) It shall come into force at once.

Amendment of Section 12

2. In Section 12 of the Sikkim Panchayat Act, 1993, in sub-section (1), for the existing proviso the following proviso shall be substituted, namely:-

"Provided however, that the existing system of the Traditional Institutions of Dzumsas practiced in the two villages of the Lachen and Lachung in the North District of the State shall continue to exist in accordance with the traditional and customary Laws of the Dzumsas. Notwithstanding other provisions of the Sikkim Panchayat Act the traditional institutions of the Dzumsas existing in the villages of Lachen and Lachung shall exercise the Powers and Functions as provided under the Act in addition to the Powers and Functions exercised by them under the existing Traditional and customary law."

By Order.

T.D. Rinzing,
Secretary to the Govt. of Sikkim,
Law Department.
F.No. 16(82) LD/2001

Printed at Sikkim Government Press, Gangtok.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Tuesday 26th October, 2004 No. 408

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 3/LD/2004 Dated: 15.10.2004

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 4th day of October, 2004 is published for general information.

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2004
(ACT NO. 3 OF 2004)

further to amend the Sikkim Panchayat Act, 1993

Be it enacted by the legislature of Sikkim in the Fifty-fifth year of the Republic of India as follows:-

Short title and Commencement. 1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2004.

(2) It shall come into force on the date of its publication in the Official Gazette.

Amendment of Section 48. 2. In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the said Act), in section 48 after sub-section (2) the following sub-section shall be inserted, namely:-

"(3) The Comptroller and Auditor General of India Shall audit the accounts of the Gram Panchayat as soon as may be after the end of each financial year in the manner provided under Chapter IX of this Act".

Amendment of Section 86. 3. In the said Act, for section 86, the following shall be substituted, namely:-

"(86) The accounts of the fund of a Gram Panchayat or Zilla Panchayat shall be examined and audited by the auditors appointed under sub-section (2) and sub-section (3) of section 48 at such manner as may be prescribed".

By Order of the Governor.

Tashi Wangdi, SSJS
Legal Remembrancer-cum-Secretary Law.
(File No. 16(82) LD/97-2004

Printed at Sikkim Government Press, Gangtok.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok | Monday 21st March, 2005 | No. 122

GOVERNMENT OF SIKKIM
LAW DEPARTMENT

No. 9/LD/P/2005 Dated : 19.3.2005.

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 9th day of March, 2005 is hereby published for general information:-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2005
(ACT NO. 9 OF 2005)
AN
ACT

further to amend the Sikkim Panchayat Act 1993 (6 of 1993).

Be it be enacted by the Legislature of Sikkim in the Fifty-sixth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2004.

(2) It shall come into force at once.

Amendment of Section 127.

2. In the Sikkim Panchayat Act, 1993, in clause (c), sub section (3) of section 127, for the words "District Development Officer-cum-Panchayat Officer", the words "District Planning Officer" shall be substituted.

By Order.

Tashi Wangdi, SSJS
Legal Remembrancer-cum-Secretary Law
F.No. 16(82)2005

Printed at Sikkim Government Press, Gangtok.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok | Monday, 28th November, 2005 | No. 442

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 17/ LD/ 2005 Date: 19.11.05

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 7th day of September 2005 is hereby published for general information:-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2005
(ACT NO. 17 OF 2005)
AN ACT

Further to amend the Sikkim Panchayat Act, 1993

Be it enacted by the Legislature of Sikkim in the Fifty- sixth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2005.
(2) It shall come into force with immediate effect.

Insertion of reference to certain expressions.

2. In the Sikkim Panchayat Act, 1993 (herein referred to as the principle Act), through the principle Act, unless otherwise expressly provided, after the word "Gram Sabha", wherever they occur, the words "or Ward Sabha" shall be inserted.

Amendment of Section 7.

3. In the principle Act, in sub-section (1) of Section 7, the following provision shall be substituted, namely:-

"Quorum for a meeting of a Gram Sabha and Ward Sabha shall be fifth and one fourth of the total members of the Gram Sabha or Sabha, as the case may be, respectively.

Provided that one-third of the quorum shall comprise of women."

Amendment of Section 16.

4. In the principle Act, in Section 16, after clause (k), the following clauses shall be inserted, namely:-

"(l) if, in the opinion of the Prescribed Authority, he is guilty of an act of falsification, willful negligence or omission in the discharge of the duties and functions delegated under this Act or by orders issued by the State Government from time to time;

(m) if he refuses to act or becomes incapable of discharging his duties and functions by reason of any physical, mental incapacity or other reasons or obligations; and

(n) if he is guilty of disgraceful conduct unbecoming of a public servant punishable by any law for time being in force; or

(o) if he does not possess a hygienic sanitary latrine for use of his family.

Amendment of Section 29.

5. After sub-section (3) of Section 29, the following sub-section shall be inserted namely:- "(4) Any member of a Gram Panchayat who is removed from his office by the Prescribed Authority shall cease to function as a member of the Gram Panchayat."

Amendment of Section 57.

6. In the principal Act, after sub-section (7) of Section 57, the following sub-section shall be inserted, namely:-

" (8) The resolutions passed in a meeting of Zilla Panchayat shall be forwarded to the Rural Management & Development Department for confirmation within seven days of the meeting".

Amendment of Section 58.

7. In the principal Act, in Section 58, the following proviso shall be inserted, namely:- "Provided that the Prescribed Authority may direct the Zilla Panchayat to consider such matter which, in his opinion, is beyond the authority of the Zilla Panchayat or not in conformity with the provisions of this Act or orders issued by the State Government from time to time."

Amendment of Section 66.

8. In the principal Act, after sub-section (3) of Section 66, the following sub-section shall be inserted, namely:-

1. "(4) any member of a Zilla Panchayat who is removed from his office by the Prescribed Authority shall cease to function as a member of the Zilla Panchayat."

2. The existing sub-section (4) shall be re-numbered as sub-section (5).

By Order.

R.K. Purkayastha (SSJS)
Legal Remembrancer –cum- Secretary,
Law Department
File no. 16 (82) LD/ 2005

S.G.P.G. - 94/Gazette/150 Nos/Dt:- 6.12.2005.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok | Wednesday | 12th September, 2007 | No. 402

LAW DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK

No. 14/LD/P/2007 Date: 12.09.2007

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2007

(ACT No. 14 of 2007)

AN

ACT

further to amend the Sikkim Panchayat Act, 1993

Be it enacted by the Legislature of Sikkim in the Fifty-eighth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Sikkim Panchayat(Amendment) Act, 2007.
(2) It shall come into force at once.

Amendment of Section 13.

2. (1) In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the said Act), for the existing sub-sections (5) (6) and (7) of section 13, the following shall be substituted, namely:-

"(5) The State Government shall, by notification, reserve seats for the Scheduled Castes, the Scheduled Tribes, the Most Backward Classes and Other Backward Classes in every Gram Panchayat and the number of seats reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population in that Panchayat area bears to the total population of that area and such seats shall be allotted by rotation to different wards in a Gram Panchayat in such manner as the State Government may, by notification specify.

(6) Not less than forty percent of the total number of seats reserved under sub-section (5) shall be reserved for women belonging to the Scheduled Caste, Scheduled Tribes, the Most Backward Classes and the Other Backward Classes.

(7) Not less than forty percent of the total number of seats (including the number of seats reserved for women belonging to the Scheduled Caste, Scheduled Tribes,the Most Backward Classes and the Other Backward Classes) to be filled by direct election in every Gram Panchayat shall be reserved for women and such seats shall be allotted by rotation to different wards in a Gram Panchayat in such manner, as the State Government may, by notification, specify. "

(2) Sub-section (5 a) shall be omitted.